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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
JERRY SHAW-YAU CHANG,
Defendant.

Case No. CR 06-0187 CRB

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING
FROM NOVEMBER 29, 2006 TO
DECEMBER 6, 2006 AND EXCLUDE
TIME UNDER SPEEDY TRIAL ACT**

STIPULATION

Defendant Jerry Shaw-Yau Chang, by and through his attorney, Edward W. Swanson, hereby requests that the Court continue the hearing date in the above-captioned matter from November 29, 2006, to December 6, 2006, or as soon thereafter as convenient for the Court. The parties stipulate that the period of time between November 29 and December 6, 2006, should be excluded under the Speedy Trial Act.

The continuance and time exclusion are requested because Mr. Chang is suffering from a medical condition that has caused him to be temporarily bed-ridden. Because of this condition, Mr. Chang has been unable to meet with counsel and is unlikely to be able to attend the currently scheduled appearance on November 29, 2006.

The parties request the Court continue the hearing until December 6, 2006. The parties also request the Court exclude the time from November 29 to December 6, 2006 under the

1 Speedy Trial Act due to the temporary unavailability of the defendant (18 U.S.C. §
2 3161(h)(3)(a)) and for effective preparation of counsel, taking into account the exercise of due
3 diligence, in this case which the Court previously deemed complex. *See* 18 U.S.C. §
4 3161(h)(8)(B)(ii) and (iv).

5 IT IS SO STIPULATED.

6 DATED: November 28, 2006

Respectfully submitted,

8
9 /s/
10 EDWARD W. SWANSON
Attorney for JERRY CHANG

11 DATED: November 28, 2006

12 /s/
13 ELISE BECKER
14 Assistant United States Attorney

15 ORDER

16 The Court HEREBY ORDERS that the hearing in the above-captioned matter currently
17 scheduled for November 29, 2006 shall be continued until December 6, 2006 at 2:15 p.m. The
18 Court finds that an exclusion of time under the Speedy Trial Act is warranted because of the
19 temporary unavailability of the defendant and because the ends of justice served by granting this
20 continuance outweigh the best interests of the public and the defendant in a speedy trial and in
21 the prompt disposition of criminal cases. The Court therefore excludes time under the Speedy
22 Trial Act pursuant to 18 U.S.C. §§ 3161(h)(3)(a) and (8)(B)(ii) and (iv) for the reasons set forth
23 in the parties' stipulation above.

24 IT IS SO ORDERED.

25
26 DATED: November 29, 2006

